

Notice of Allowability

Application No.

10/692,882

Examiner

Hemant M Desai

Applicant(s)

GAMBETTI, MARIO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on 10/24/2003.
 2. ☒ The allowed claim(s) is/are 1-22.
 3. ☒ The drawings filed on 24 October 2003 are accepted by the Examiner.
 4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Herbert Dubno on 9/1/2004.

The application has been amended as follows:

Replace the claim #1 as follows:

Claim-1

--System for a sleeve-type packaging machine, which wraps pieces (2) of packaging material around articles (1), in which the said packaging machine comprises: first article conveyor means (10), for feeding the articles (1) longitudinally in sequence and spaced apart from each other; second article conveyor means (20), located downstream and at a small distance from said first article conveyor means (10), thus creating a first opening (A1) between said first (10) and said second (20) article conveyor means, the second article conveyor means being able to receive the articles arriving from said first article conveyor means (10) and to carry said articles (1) along a wrapping plane which has an entry end and an exit end; third article conveyor means (30), located downstream and at a small distance from said second article conveyor means (20), thus creating a second opening (A2) between said second (20) and said third (30) article conveyor means, the third article conveyor means being able to receive

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the articles (1) arriving from said second article conveyor means (20); means (40) for wrapping the pieces of sheet, located in the proximity of said second article conveyor means (20), and comprising at least one suspended wrapping bar (41), oriented transversely with respect to the direction of advance of the articles (1), and made to move through said first (A1) and said second (A2) opening along an orbital path passing over the top of said second article conveyor means (20), the bar being capable of carrying the pieces (2) of wrapping material; piece conveyor means (50) with a conveyor belt (51), positioned longitudinally below and in alignment in the proximity of said first opening (A1), for feeding the pieces (2) of packaging material in the proximity of said first opening (A1); and control means (70) comprising a first modular unit (T100-G100) which is located under the first article conveyor means (10) and is movable and positionable with respect to the packaging machine, for forming and feeding pieces (S1) of packaging material, said first modular unit being functionally connected to the control means (70); a second modular unit (T200-G200) which is located under the first article conveyor means (10) and is movable and positionable with respect to the packaging machine, for forming and feeding pieces (S2) of packaging material, said second modular unit being functionally connected to the control means (70); and said first modular unit (T100-G100) and said second modular unit (T200-G200) assume at least two positions, namely a first position in which the modular unit (T100-G100; T200-G200) is positioned at least transversely at the side of the packaging machine, and a second position, in which the modular unit (T100-G100; T200-G200) is positioned under the

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packaging machine in order to feed the pieces (S1, S2) towards and above the conveyor belt (51) of the piece conveyor means (50). --

Replace the claim #22 as follows:

Claim-22

-- System according to claim 1, characterized in that a first servo motor (M10), connected to and controlled by the control means (70), for driving said article conveyor means (10, 20, 30); a second servo motor (M40), connected to and controlled by the control means (70), for driving said wrapping means (40); a third servo motor (M50), connected to and controlled by the control means (70), for driving said piece conveyor means (50); and a fourth and fifth servo motors (M100; M200), connected to and controlled by the control means (70), for driving, respectively said first and said second modular units (T100-G100; T200-G200). --

Delete "in that" (claim 2, line 3).

Delete "in that" (claim 3, line 3).

Delete "in that the" (claim 4, line 4).

Delete "in that the" (claim 6, line 3).

Delete "are able to" (claim 7, line 2).

Delete "in that the" (claim 8, line 3).

Delete "are able to" (claim 8, line 4).

Delete "in that the" (claim 9, lines 4, 5, and 6-7).

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Delete "in that the" (claim 10, lines 3 and 4).

Delete "in that the" (claim 12, lines 4 and 7).

Delete "in that" (claim 13, line 4).

Delete "in that the" (claim 14, lines 4 and 7).

Delete "in that" (claim 15, lines 2 and 4).

Replace "can be", claim 15, lines 3 and 6, with -- are --.

Delete "first", claim 15, line 3.

Delete "in that the" (claim 16, line 3).

Delete "in that" (claim 16, lines 4 and 6).

Replace "can be", claim 16, line 5, with -- are --.

Replace "can be", claim 17, line 2, with -- is --.

Delete "in that the" (claim 18, line 2).

Delete "in that" (claim 18, line 5).

Delete "in that the" (claim 19, line 2).

Delete "in that" (claim 19, lines 5).

Delete "in that the" (claim 20, lines 2, 5, 6, and 9).

Delete "in that" (claim 21, lines 2-3 and 5).

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose the claimed system for a sleeve type packaging machine, including: tow modular units (T100-G100 and T200-G200, fig. 1) located under the article conveyor means (10, fig. 1) and connected to the control means (70, fig. 1B) and

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movable and positionable with respect to the packaging machine and assume at least two positions, namely a first position in which the modular unit (T100-G100; T200-G200) is positioned at least transversely at the side of the packaging machine, and a second position, in which the modular unit (T100-G100; T200-G200) is positioned under the packaging machine in order to feed the pieces (S1, S2) towards and above the conveyor belt (51, fig. 1) of the piece conveyor means (50, fig. 1)..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M Desai whose telephone number is (703) 308-5830. The examiner can normally be reached on 7:00 AM-5: 30 PM, Mon-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (703) 308-2187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant M Desai
Examiner
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HMD

A handwritten signature in black ink, appearing to read "Rinaldi I. Rada", with a stylized, flowing script.

Rinaldi I. Rada
Supervisory Patent Examiner
Group 3700